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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/988,995	11/21/2001	Heikki Kokkinen	061602-3200	9518
30542 7590 05/23/2007 FOLEY & LARDNER LLP P.O. BOX 80278 SAN DIEGO, CA 92138-0278			EXAMINER HAMZA, FARUK	
			ART UNIT 2155	PAPER NUMBER
			MAIL DATE 05/23/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/988,995

Applicant(s)

KOKKINEN ET AL.

Examiner

Faruk Hamza

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-24 and 27-34 is/are pending in the application.
- 4a) Of the above claim(s) 1-14, 25 and 26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-24 and 27-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date: _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

1. This action is responsive to the amendment filed on March 20, 2007.
Claims 1 and 27 have been amended. Claims 1-14 and 25-26 have been canceled. Claims 15-24 and 27-34 are pending.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1 and 27 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 recites the limitation "the local customer terminal" in lines 9 and 12. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the third interface" in line 10. There is insufficient antecedent basis for this limitation in the claim.

Claim 1 recites the limitation "the second interface" in line 13. There is insufficient antecedent basis for this limitation in the claim.

Claim 27 recites the limitation "the third interface" in line 10. There is insufficient antecedent basis for this limitation in the claim.

Claim 27 recites the limitation "the second interface" in line 14. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 15-21, 27 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hiatt (U.S. Patent Number 6,477,152) and further in view of Hebert (U.S. Patent Number 6,732,186) hereinafter referred as Hebert.

Hiatt teaches the invention substantially as claimed including improved technique for retrieving data information from various data sources provides a less costly, and yet faster and more reliable method for retrieving information while abroad a transportation vehicle (See abstract).

As to claim 15, Hiatt teaches a server for use in a vehicle including a first wireless interface providing a connection on a customer basis, for local user terminals to the server, to enable access to local content on the server, a second wireless interface providing a connection to an external mobile network to enable access to remote content on remote servers, and a third wireless interface for providing a broadband connection to an external network to enable access to remote content on remote servers (Column 3, lines 4-Column 5, lines 39),

Hiett does not explicitly teach the claim limitation if access to a remote server is requested, the server first attempts to connect to the remote server via the third wireless interface, and if the third wireless interface cannot establish a connection with the remote server, the server attempts to connect to the remote server via the second wireless interface.

However, Hebert teaches the claim limitation of using alternate interface as needed or failover mechanism (See abstract, Column 2, lines 26-35, Fig. 8, Fig. 9, Column 9, lines 53-Column 11, lines 35).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hiatt by adding functionality for using alternate interface as needed or failover mechanism. Which would provide high availability networking mechanism. One would be motivated to do so to enhance system's performance.

Claim 27 does not teach or define any new limitation other than above claim 15 and therefore are rejected for similar reasons.

As to claim 16, Hiatt teaches a server as in claim 15, comprising detection means for determining a presence of an external network capable of making a broadband connection with the third wireless interface (Column 6, lines 14-50).

As to claim 17, Hiatt teaches a server as in claim 16, comprising access control means, responsive to the detection means, for determining utilization of the second and third interfaces (Column 6, lines 14-50).

As to claim 18, Hiatt teaches a server as in claim 17, comprising content update means for updating the local content on the server via the third wireless interface (Column 3, lines 4-Column 5, lines 39).

As to claim 19, Hiatt teaches a server as claimed in claim 15 comprising a computer programmed to operate as a world wide web server and including first and second network data adapters providing the first and second wireless interfaces, respectively (Column 3, lines 4-Column 5, lines 39).

As to claim 20, Hiatt teaches a server as claimed in claim 19, wherein a third network data adapter provides the third wireless interface (Column 6, lines 14-50).

As to claim 21, Hiatt teaches the method of claim 27, further comprising providing content located locally in the server and content located in the remote server and accessed by the second wireless interface, updating the local content via the third wireless interface capable of making a broadband connection with an external network, wherein the local and remote content are accessible by

local customer terminals via the first wireless interface (Column 3, lines 4-Column 5, lines 39).

4. Claims 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hielt (U.S. Patent Number 6,477,152) as applied above, and further in view of Eranko (U.S. Patent Number 6,801,934).

Hielt teaches the invention substantially as claimed including an improved technique for networking multiple users for retrieving data information from various data sources provides a less costly method for retrieving information while aboard a transportation vehicle (See abstract).

As to claim 23, Hielt teaches a method as claimed in claim 27.

Hielt does not explicitly teach the claim limitation of generating revenue for service.

However, Eranko teaches generating revenue for service (Column 2, lines 58-64).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hielt by adding charging capability, which enhance the efficiency of the system. One would be motivated to do so to improve system's capability and make the system more profitable.

As to claim 24, Hielt teaches a method as claimed in claim 23, wherein the server provides an internet portal to the customers (Column 3, lines 4-Column 5, lines 39).

Hielt does not explicitly teach the claim limitation of charging.

However, Eranko teaches charging for service (Column 2, lines 58-64).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hielt by adding charging capability, which enhance the efficiency of the system. One would be motivated to do so to improve system's capability and make the system more profitable.

5. Claims 22 and 28-34 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hielt as applied above, and further in view of Official Notice.

As to claim 22, Hielt teaches a method as claimed in claim 21 (Column 3, lines 4-Column 5, lines 39).

Hielt does not explicitly teach the claimed limitation restricting access to content on remote server of customer's terminal.

However, "Official Notice" is taken that restricting access to content on remote server of customer's terminal is old and well known in the art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hielt by adding restricting access to content on remote server of customer's terminal functionality, which will limit the customer's access to the content. One would be motivated to do so to enhance system's protection.

As to claims 28-34, Hiatt teaches different wireless interfaces (Column 6, lines 62-Column 9, lines 55).

Hiatt does not explicitly teach the claimed limitation of broadband, Bluetooth, Hiperlan and WCDMA interface.

However, "Official Notice" is taken that broadband, Bluetooth, Hiperlan and WCDMA interface is old and well known in the art.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Hiatt by adding broadband, Bluetooth, Hiperlan and WCDMA interface, which will ease users wireless communication. One would be motivated to do so to enhance system's usability.

6. **Examiner's Note:** Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in its entirety as potentially teaching of all or part of the claimed invention, as well as the context.

Response to Arguments

7. Applicant's arguments have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Faruk Hamza whose telephone number is 571-272-7969. The examiner can normally be reached on Monday through Friday.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached at 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 886-217-9197 (toll -free).

Faruk Hamza

Patent Examiner

Group Art Unite 2155



SALEH NAJJAR
SUPERVISORY PATENT EXAMINER